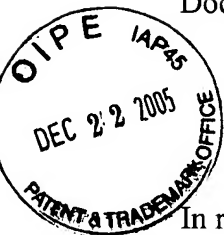


Docket No.: 061352-0045

PATENT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of : Customer Number: 20277  
Hidenobu YAKU, et al. : Confirmation Number: 3667  
Application No.: 10/674,787 : Group Art Unit: 1637  
Filed: October 01, 2003 : Examiner: Suryaprabha CHUNDURU

For: METHOD FOR DETECTING EXTENSION REACTION WITH PRIMERS, METHOD FOR DISTINGUISHING KIND OF BASES, APPARATUS FOR DISTINGUISHING KIND OF BASES, APPARATUS FOR DETECTING PYROPHOSPHATE, METHOD FOR DETECTING NUCLEIC ACID, AND TIP TO MOUNT SAMPLE SOLUTION

**AMENDMENT, PETITION AND FEE UNDER 37 CFR 1.48(a)**  
**TO DELETE HIROAKI OKA**  
**AS A NAMED INVENTOR**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**1. This amendment and petition is to:**

*(check each applicable item)*

☒ correct the incorrect original naming of inventor(s) under 37 CFR 1.48(a).

**and/or**

☐ add inventor(s) for subject matter disclosed in the application but previously unclaimed under 37 CFR 1.48(c).

12/27/2005 HALI11 00000138 500417 10674787  
01 FC:1464 130.00 DA

2. **Addition and/or Deletion of Inventor(s)**

*(please check and complete all applicable terms)*

☐ add the following previously unnamed person(s) as inventor(s) of this application:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

☒ delete the following previously incorrectly named inventor(s):  
Hiroaki Oka

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. **Attachments**

Attached is:

(a) a statement of Hiroaka Oka stating that the error in inventorship occurred without deceptive intent on his part.

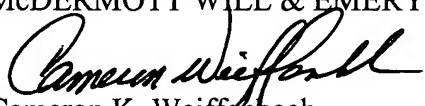
(b) a declaration by each of the actual inventors as required by 37 CFR 1.63.

(c) written assent of the assignee.

4. **Fee Payment (37 CFR 1.17(h))**

Please charge Deposit Account 500417 the sum of \$130.00 fee for this amendment and petition. Please charge said deposit account for any shortage in fees due under 37 C.F.R. § 1.17 and due in connection with the filing of this request and please credit any excess fees to said deposit account.

Respectfully submitted,  
McDERMOTT WILL & EMERY LLP

  
Cameron K. Weiffenbach  
Registration No. 44,488

600 13<sup>th</sup> Street, N.W.  
Washington, DC 20005-3096  
Phone: 202.756.8171 CKW:ckw  
Facsimile: 202.756.8087  
**Date: December 22, 2005**

**Please recognize our Customer No. 20277  
as our correspondence address.**

Docket No.: 061352-0045

PATENT



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of

Hiddenobu YAKU, et al.

Application No.: 10/674,787

Filed: October 01, 2003

: Customer Number: 20277  
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: Confirmation Number: 3667  
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**ASSENT OF ASSIGNEE TO DELETE HIROAKI OKA AS AN INVENTOR**

Commissioner for Patents  
Washington, DC 20231

Sir:

Matsushita Electric Industrial Co., Ltd.

(type or print name of assignee)

1006, Oaza Kadoma, Kadoma-shi

(address)

Osaka 571-8501 JAPAN

Assignment:



recorded on June 23, 2004

Reel 015495

Frame 0294

## ASSIGNEE CERTIFICATION

In accordance with 37 CFR 3.73, the assignee hereby certifies that the evidentiary documents with respect to its ownership have been reviewed and that, to the best of the assignee's knowledge and belief, title is in the assignee seeking to take this action.



Signature

Hiroki Naito

Director, IP Development Center

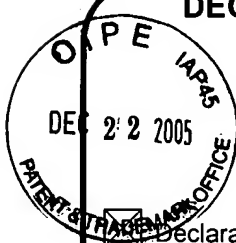
Authorized Signing Officer

(type or print name and title of person authorized to sign on behalf of assignee)

Date:

Nov. 28, 2005

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number

 <b>DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION</b> <b>(37 C.F.R. 1.63)</b>	<input checked="" type="checkbox"/> Declaration Submitted With Initial Filing	<b>OR</b>	<input type="checkbox"/> Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16(e)) required)
	<b>Attorney Docket Number</b> 061352-0045		
	<b>First Named Inventor</b> Hidenobu YAKU, et al.		
	<b>COMPLETE IF KNOWN</b>		
	<b>Application Number</b> 10/674,787		
	<b>Filing Date</b> October 01, 2003		
<b>Art Unit</b> 1637			
<b>Examiner Name</b> Suryaprabha CHUNDURU			

**I hereby declare that:**

Each inventor's residence, mailing address, and citizenship are as stated below next to their name.

I believe the inventor(s) named below to be the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**METHOD FOR DETECTING EXTENSION REACTION WITH PRIMERS, METHOD FOR DISTINGUISHING KIND OF BASES, APPARATUS FOR DISTINGUISHING KIND OF BASES, APPARATUS FOR DETECTING PYROPHOSPHATE, METHOD FOR DETECTING NUCLEIC ACID, AND TIP TO MOUNT SAMPLE SOLUTION**

(Title of the Invention)

The specification of which

☐

is attached hereto

**OR**

☒

was filed on (MM/DD/YY)

10/01/03 as United States Application Number of PCT International

Application Number

10/674,787

And was amended on (MM/DD/YY)

(if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent, inventor's or plant breeder's rights certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's or plant breeder's rights certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YY)	Priority Not Claimed	Certified Copy Attached?	
				YES	NO
2002-288837	Japan	10/01/02	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplementary priority data sheet PTO/SB/02B attached hereto.

(Page 1 of 2)

This collection of information is required by 35 U.S.C. 115 and 37 C.F.R. 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 C.F.R. 1.11 and 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

If you need assistance completing the form, call 1-800-PTO-9199 and selected option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**DECLARATION – Utility or Design Patent Application**

Direct all correspondence to:	<input checked="" type="checkbox"/> The address associated with Customer Number:	20277	OR	<input type="checkbox"/> Correspondence address below
Name McDERMOTT WILL & EMERY LLP				
Address 600 13th Street, N.W.				
City Washington,		State D.C.	ZIP 20005	
Country USA	Telephone 202-756.8000		Email cweiffenbach@mwe.com	
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.				
NAME OF SOLE OR FIRST INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Hidenobu YAKU			Family Name or Surname	
Inventor's Signature Hidenobu YAKU			Date November 29, 2005	
City	State	Country	Citizenship Japanese citizen	
Mailing address 16-1 Miyamae-cho				
City Kadoma-shi	State Osaka	Zip 571-0074	Country Japan	
NAME OF SECOND INVENTOR:		<input type="checkbox"/> A petition has been filed for this unsigned inventor		
Given Name (first and middle [if any]) Tetsuo YUKIMASA			Family Name or Surname	
Inventor's Signature Tetsuo YUKIMASA			Date November 29, 2005	
Residence: City	State	Country	Citizenship Japanese citizen	
Mailing address 6-696-1-101				
City Gakuendaiwa-cho	State Nara-shi, Nara	Zip 631-0041	Country Japan	
<input type="checkbox"/> Additional inventors or a legal representation are being named on the _____ supplemental sheet(s) PTO/SB/02A or 02LR attached hereto				

## Privacy Act Statement

The Privacy Act of 1974 (P.L. 93-579) requires that you be given certain information in connection with your submission of the attached form related to a patent application or patent. Accordingly, pursuant to the requirements of the Act, please be advised that: (1) the general authority for the collection of this information is 35 U.S.C. 2(b)(2); (2) furnishing of the information solicited is voluntary; and (3) the principal purpose for which the information is used by the U.S. Patent and Trademark Office is to process and/or examine your submission related to a patent application or patent. If you do not furnish the requested information, the U.S. Patent and Trademark Office may not be able to process and/or examine your submission, which may result in termination of proceedings or abandonment of the application or expiration of the patent.

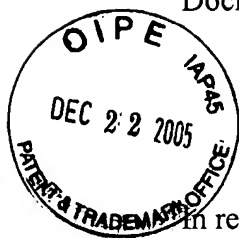
The information provided by you in this form will be subject to the following routine uses:

1. The information on this form will be treated confidentially to the extent allowed under the Freedom of Information Act (5 U.S.C. 552) and the Privacy Act (5 U.S.C. 552a). Records from this system of records may be disclosed to the Department of Justice to determine whether disclosure of these records is required by the Freedom of Information Act.
2. A record from this system of records may be disclosed, as a routine use, in the course of presenting evidence to a court, magistrate, or administrative tribunal, including disclosures to opposing counsel in the course of settlement negotiations.
3. A record in this system of records may be disclosed, as a routine use, to a Member of Congress submitting a request involving an individual, to whom the record pertains, when the individual has requested assistance from the Member with respect to the subject matter of the record.
4. A record in this system of records may be disclosed, as a routine use, to a contractor of the Agency having need for the information in order to perform a contract. Recipients of information shall be required to comply with the requirements of the Privacy Act of 1974, as amended, pursuant to 5 U.S.C. 552a(m).
5. A record related to an International Application filed under the Patent Cooperation Treaty in this system of records may be disclosed, as a routine use, to the International Bureau of the World Intellectual Property Organization, pursuant to the Patent Cooperation Treaty.
6. A record in this system of records may be disclosed, as a routine use, to another federal agency for purposes of National Security review (35 U.S.C. 181) and for review pursuant to the Atomic Energy Act (42 U.S.C. 218(c)).
7. A record from this system of records may be disclosed, as a routine use, to the Administrator, General Services, or his/her designee, during an inspection of records conducted by GSA as part of that agency's responsibility to recommend improvements in records management practices and programs, under authority of 44 U.S.C. 2904 and 2906. Such disclosure shall be made in accordance with the GSA regulations governing inspection of records for this purpose, and any other relevant (i.e., GSA or Commerce) directive. Such disclosure shall not be used to make determinations about individuals.
8. A record from this system of records may be disclosed, as a routine use, to the public after either publication of the application pursuant to 35 U.S.C. 122(b) or issuance of a patent pursuant to 35 U.S.C. 151. Further, a record may be disclosed, subject to the limitations of 37 CFR 1.14, as a routine use, to the public if the record was filed in an application which became abandoned or in which the proceedings were terminated and which application is referenced by either a published application, an application open to public inspection or an issued patent.
9. A record from this system of records may be disclosed, as a routine use, to a Federal, State, or local law enforcement agency, if the USPTO becomes aware of a violation or potential violation of law or regulation.



Docket No.: 061352-0045

PATENT



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**STATEMENT OF HIROAKI OKA**

Commissioner for Patents  
Washington, DC 20231

Sir:

I, HIROAKI OKA, state that the error in the inventorship occurred without deceptive intent on my part.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Date: November 29, 2005

Hiroaki Oka

Hiroaki Oka